



Brussels, 10.3.2015
COM(2015) 125 final

2012/0084 (COD)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to Article 294(6) of the Treaty on the Functioning of the European Union

concerning the

**position of the Council on the adoption of a Regulation of the European Parliament and
of the Council amending Regulation (EC) No 223/2009 on European statistics**

(Text with relevance for the EEA and Switzerland)

**COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT**

pursuant to Article 294(6) of the Treaty on the Functioning of the European Union

concerning the

**position of the Council on the adoption of a Regulation of the European Parliament and
of the Council amending Regulation (EC) No 223/2009 on European statistics**

(Text with relevance for the EEA and Switzerland)

1. BACKGROUND

Date of transmission of the proposal to the European Parliament and to the Council 17 April 2012
(document COM(2012) 167 final – 2012/0084 COD):

Date of the opinion of the European Economic and Social Committee: N/A

Date of the position of the European Parliament, first reading: 21 November 2013

Date of transmission of the amended proposal: N/A

Date of adoption of the position of the Council: 5 March 2015

2. OBJECTIVE OF THE PROPOSAL FROM THE COMMISSION

The proposal calls for a revision of the current basic legal framework for European statistics, by adapting it to meet the policy needs and challenges created for European statistics by recent developments in the global economy. The main goal is to further strengthen governance in the European Statistical System in order to safeguard its high credibility and to respond adequately to data needs resulting from the enhanced economic-policy coordination in the European Union. The four more specific objectives contributing to this aim are: strengthening of the professional independence of national statistical authorities; clarification of the coordinating role of national statistical institutes (NSIs) in the national statistical systems; establishment of ‘Commitments on Confidence in Statistics’; and enhancement of the access to and use of administrative data for statistical purposes.

In particular, unconditional professional independence of national statistical authorities is a key pre-requisite for maintaining high credibility of European statistics in their core supporting role for economic governance and in general, for evidence based policy-making. The proposal refers explicitly to the Heads of NSIs as persons whose independence in performing their duties is a pre-condition for establishing the independence of the respective institutions. To that end, Heads of NSIs should have the freedom to decide on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all European statistics. They must also be forbidden from

seeking, and protected from receiving, instructions from national governments and other institutions. Moreover, Heads of NSIs should be granted considerable autonomy in deciding on the internal management of the statistical office and allowed to publicly comment on the budget allocated to the NSI in the context of statistical tasks to be performed. Furthermore, there must exist transparent rules for the appointment, transfer and dismissal of Heads of NSI, based solely on professional criteria.

As stipulated by the Commission in its Communication ‘Towards robust quality management for European Statistics’ (COM(2011) 211 final), the proposal also includes the establishment of ‘Commitments on Confidence in Statistics’, i.e. declarations of respect of the European Statistics Code of Practice, and notably of the principle of independence of NSIs. According to the proposal, they should be signed by the governments of all Member States and counter-signed by the Commission. Each CoC is intended to be country-specific and contain improvement actions. The actual implementation of these actions would be monitored by Eurostat as part of the already established regular assessment of Member States’ compliance with the European Statistics Code of Practice.

The proposal further attempts to clarify the coordinating role of NSIs in the national statistical systems by explicitly referring to institutions and functions that need to be coordinated.

Another major objective of the proposal is to strengthen the use of administrative data sources for the production of European statistics without increasing the burden on respondents, NSIs and other national authorities. To that end, NSIs should be involved, to the extent necessary, in decisions on the design, development and discontinuation of administrative records which could be used in the production of statistical data. Free and timely access to administrative records should be granted to NSIs, other national authorities and Eurostat, but only within their own respective public administrative system and to the extent necessary for the development, production and dissemination of European statistics.

Moreover, in order to simplify budget planning for statistical activities and to make it more stable, the proposal brings the programming period of the European statistical programme into line with the Union’s multi-annual financial framework.

Finally, the proposed amendment of Regulation (EC) No 223/2009 takes account of the necessary adjustments to the Lisbon Treaty as regards granting the Commission delegated and implementing powers.

3. COMMENTS ON THE POSITION OF THE COUNCIL

The position of the Council reflects the political agreement reached between the European Parliament and the Council on 3 December 2014 and includes elements proposed by both institutions. The Commission supports this agreement.

The main amendments included in this position, as compared to the Commission's proposal, are the following:

For the specific situation of NSIs, amendments are made that limit the scope of the statistical decision-taking power of the Heads of NSIs as proposed by the Commission, notably to matters within their own institutions. Furthermore, the provision on professional independence is extended to cover, in addition to Heads of NSIs, also the ‘statistical heads of other national authorities’.

For the specific situation of Eurostat, an additional Article is introduced, largely based on elements already provided for in the Commission Decision on Eurostat (2012/504/EU), that focusses on the professional independence of the Director General of Eurostat to ensure

correspondence with the respective provisions applying to Heads of NSIs. The compromise formalises, in particular, that a statistical dialogue will enable every year for a direct exchange of views between the Director-General of EUROSTAT and the relevant Committee of the European Parliament on statistical matters.

The provision on establishment by Member States of 'Commitments on Confidence in Statistics' is weakened but combined with a more detailed description of the applicable monitoring and reporting process by the Commission.

In response to the European Parliament's request for stronger quality monitoring and enforcement, provisions have been introduced foreseeing publication of Commission's concerns regarding the quality of national contributions to European statistics and recalling the possibility for the Commission to conduct investigations on suspected misrepresentation of statistical data, provided that fines are applicable in such cases by virtue of sectoral legislation.

Finally, additional references to the cooperation between the European Statistical System and the European System of Central Banks on compilation of European statistics have been added.

4. CONCLUSION

The Commission accepts the results of the inter-institutional negotiations and can therefore support the Council's position at first reading.